

DANIEL G. BOGDEN
 United States Attorney
 Nevada Bar No. 2137
 Daniel D. Hollingsworth
 Assistant United States Attorney
 Nevada Bar No. 1925
 Lloyd D. George United States Courthouse
 333 Las Vegas Boulevard South, Suite 5000
 Las Vegas, Nevada 89101
 Telephone: (702) 388-6336
 Facsimile: (702) 388-6787
 E-mail: Daniel.Hollingsworth@usdoj.gov
 Counsel for the United States of America

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	2:08-CV-447-RLH (GWF)
)	
\$40,285.50 IN UNITED STATES CURRENCY,)	
)	
Defendant.)	

DEFAULT JUDGMENT OF FORFEITURE

The United States filed a verified Complaint for Forfeiture in Rem on April 7, 2008. Complaint, ECF No. 1. The Complaint (ECF, No. 1) alleges the defendant property:

- a. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. § 1084, a “specified unlawful activity” as defined in 18 U.S.C. §§ 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);
 - b. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. § 1343, a “specified unlawful activity” as defined in 18 U.S.C. §§ 1956(c)(7)(A)
- ...

1 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
2 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

3 c. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
4 1952(a)(1), a “specified unlawful activity” as defined in 18 U.S.C. §§
5 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
6 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

7 d. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
8 1952(a)(3), a “specified unlawful activity” as defined in 18 U.S.C. §§
9 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
10 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

11 e. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
12 1955, a “specified unlawful activity” as defined in 18 U.S.C. §§ 1956(c)(7)(A)
13 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
14 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);

15 f. used in violation of 18 U.S.C. § 1955 and is subject to forfeiture pursuant to
16 18 U.S.C. § 1955(d);

17 g. involved in a transaction or attempted transaction in violation of 18 U.S.C. §
18 1956(a)(1), or is property traceable to such property, and is subject to forfeiture
19 pursuant to 18 U.S.C. § 981(a)(1)(A);

20 h. involved in a transaction or attempted transaction in violation of 18 U.S.C. §
21 1956(a)(2), or is property traceable to such property, and is subject to forfeiture
22 pursuant to 18 U.S.C. § 981(a)(1)(A);

23 i. involved in a transaction or attempted transaction in violation of 18 U.S.C. §
24 1957, or is property traceable to such property, and is subject to forfeiture
25 pursuant to 18 U.S.C. § 981(a)(1)(A);

26 ...

- 1 j. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
2 1956(a)(1), a “specified unlawful activity” as defined in 18 U.S.C. §§
3 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
4 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);
- 5 k. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
6 1956(a)(2), a “specified unlawful activity” as defined in 18 U.S.C. §§
7 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offense, and is
8 subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C);
- 9 l. constitutes, or is derived from, proceeds traceable to violations of 18 U.S.C. §
10 1957, a “specified unlawful activity” as defined in 18 U.S.C. §§ 1956(c)(7)(A)
11 and 1961(1)(B), or a conspiracy to commit such offense, and is subject to
12 forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C); and
- 13 m. involved in violations of 31 U.S.C. §§ 5313 and 5324, or a conspiracy to
14 commit such violations, or is traceable to any such violations or conspiracy,
15 and is subject to forfeiture pursuant to 31 U.S.C. § 5317(c)(2).

16 It appearing that process was fully issued in this action and returned according to law;

17 On April 11, 2008, the Court entered an Order for Summons and Warrant of Arrest in Rem
18 for the Property and Notice and issued the Summons and Warrant of Arrest in Rem. Order for
19 Summons and Warrant of Arrest in Rem for the Property and Notice, ECF No. 8; Summons and
20 Warrant Issued by the Clerk, ECF No. 10.

21 Pursuant to the Order (ECF No. 8), the Complaint (ECF No. 1), the Order (ECF No. 8), the
22 Summons and Warrant (ECF No. 10), and the Notice of Complaint for Forfeiture (ECF No. 12, p.
23 5–6) were served on the defendant property and all persons claiming an interest in the defendant
24 property. All persons interested in the defendant property were required to file their claims with the
25 Clerk of the Court no later than 35 days after the notice of this action was sent by mail, followed by
26 the filing of an answer to the Complaint within 21 days after the filing of their respective claims.

1 Complaint, ECF No. 1; Order for Summons and Warrant of Arrest in Rem for the Property and
2 Notice, ECF No. 8; Summons and Warrant Issued by the Clerk, ECF No. 10; Notice of Filing
3 Immigration Custom Enforcement Return on Service of Process, ECF No. 12.

4 On May 9, 2008, the Immigration Custom Enforcement served the Complaint, the Order, the
5 Summons and Warrant of Arrest in Rem for the Property, and the Notice by executing them on the
6 defendant property. Notice of Filing Immigration Custom Enforcement Return on Service of Process,
7 ECF No. 12.

8 On April 7, 2008, the United States filed a Settlement Agreement, Stipulation for Entry of
9 Judgment of Forfeiture as to International Racing Group, Inc.; It's All Good Buddy, Inc.; and
10 Youbet.com, Inc., and Order, regarding the \$40,285.50. Claimants waived, among other things,
11 service of process. ECF No. 5.

12 On April 11, 2008, the Court entered the Order granting the Settlement Agreement,
13 Stipulation for Entry of Judgment of Forfeiture as to International Racing Group, Inc.; It's All Good
14 Buddy, Inc.; and Youbet.com, Inc., and Order. ECF No. 11.

15 Public notice of the forfeiture action and arrest was given to all persons and entities by
16 publication on the official government website www.forfeiture.gov from June 9, 2012, through July
17 8, 2012. Notice of Filing Proof of Publication, ECF No. 17.

18 On August 8, 2012, the United States Filed a Settlement Agreement, Stipulation for Entry of
19 Judgment of Forfeiture as to Richard Tavano, James Scott, Louis Tavano, and Jacktrade, LLC., and
20 Order. ECF No. 18.

21 On August 9, 2012, the Court entered the Order granting the Settlement Agreement,
22 Stipulation for Entry of Judgment of Forfeiture as to Richard Tavano, James Scott, Louis Tavano, and
23 Jacktrade, LLC., and Order. ECF No. 19.

24 No other person or entity has filed a claim, answer, or responsive pleading within the time
25 permitted by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

26 . . .

1 On August 10, 2012, the United States filed a Request for Entry of Default against the
2 defendant property and all persons or entities who claim an interest in the defendant property in the
3 above-entitled action. Motion for Entry of Clerk's Default, ECF No. 20.

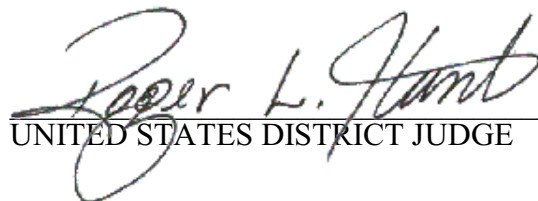
4 On August 16, 2012, the Clerk of the Court entered an Amended Default against the
5 defendant property and all persons or entities who claim an interest in the defendant property in the
6 above-entitled action. Amended Clerk's Entry of Default, ECF No. 22.

7 The allegations of the Complaint are sustained by the evidence and are adopted as findings
8 of fact. The Court concludes as a matter of law that the United States is entitled to the relief requested
9 in the Complaint.

10 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
11 Default Judgment of Forfeiture be entered against the defendant property and all persons or entities
12 who claim an interest in the defendant property in the above-entitled action.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the
14 same is hereby forfeited to the United States of America, and no right, title, or interest in the property
15 shall exist in any other party.

16 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable
17 cause for the seizure or arrest of the defendant property.

18
19 
20 UNITED STATES DISTRICT JUDGE

21 DATED: August 23, 2012
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